

A. G. Contract No. KR93 2968TRN
JPA No.: 93-170
ECS File No.: 94-70
Project: STP-900-0(85)/H3673 02X
Section: Urban Form Program
City of Tucson Contract No. 0173-94

INTERGOVERNMENTAL AGREEMENT

BETWEEN

THE STATE OF ARIZONA

AND

THE CITY OF TUCSON

THIS AGREEMENT is entered into 7 MARCH, 1993, pursuant to Arizona Revised Statutes, Sections 11-951 through 11-954, as amended, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State") and the CITY OF TUCSON, acting by and through its MAYOR and CITY COUNCIL (the "City").

I. RECITALS

1. The State is empowered by Arizona Revised Statutes Section 28-108 and 28-112 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has delegated to the undersigned the authority to execute this agreement on behalf of the State.

2. The City is empowered by Arizona Revised Statutes Section 48-572 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has authorized the undersigned to execute this agreement on behalf of the City.

3. The Intermodal Surface Transportation Act of 1991 provides funds for the conduct of various local government efforts towards the compatible integration of surface transportation and appropriate adjacent land use, and associated air quality planning; such efforts being known as the Urban Form program. The State and the City desire to continue the program during fiscal year 1994. This agreement defines the responsibilities of the parties for the program.

THEREFORE, in consideration of the mutual agreements expressed herein, it is agreed as follows:

NO. <u>18433</u>
FILED WITH SECRETARY OF STATE
Date Filed <u>03/07/94</u>
<u>Richard H. Shook</u> Secretary of State
By <u>Dick W. Greenwald</u>

II. SCOPE

1. The State will:

On a reimbursable basis, provide federal funding in the amount of \$47,150.00 to the City for work performed on the program in accordance with the attached project summary.

2. The City will:

a. Provide federal funding match requirements in the amount of \$2,850.00. As appropriate, accomplish the work or issue requests for proposals and hire a consultant to perform or assist with the work. Comply with all applicable state and federal laws relating to procurement.

b. Apply federal funding to program work activities in accordance with applicable federal requirements. Comply with state and federal accounting procedures.

c. Permit authorized state or federal personnel to inspect and review the work and conduct audits at reasonable times and places.

d. No more often than monthly, submit invoices to the State for reimbursement of costs of the program, in a total amount not to exceed \$47,150.00.

III. MISCELLANEOUS PROVISIONS

1. This agreement shall remain in force and effect until completion of said program or expenditures; provided, however, that this agreement may be cancelled at any time prior to the commencement of performance, upon thirty (30) days written notice to the other party.

2. This agreement shall become effective upon filing with the Secretary of State.

3. This agreement may be cancelled in accordance with Arizona Revised Statutes Section 38-511.

4. The provisions of Arizona Revised Statutes Section 35-214 are applicable to this contract.

5. In the event of any controversy which may arise out of this agreement, the parties hereto agree to abide by required arbitration as is set forth for public works contracts in Arizona Revised Statutes Section 12-1518.

6. All notices or demands upon any party to this agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

Arizona Department of Transportation
Joint Project Administration
205 South 17 Avenue, Mail Drop 616E
Phoenix, AZ 85007

City of Tucson
City Manager
Box 27210
Tucson, AZ 85701-7210

7. Attached hereto and incorporated herein is the written determination of each party's legal counsel that the parties are authorized under the laws of this state to enter into this agreement and that the agreement is in proper form.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

CITY OF TUCSON

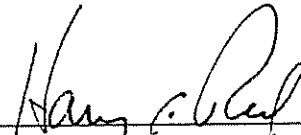
STATE OF ARIZONA

Department of Transportation

By 

GEORGE MILLER
Mayor

By



HARRY A. REED, Director
Transportation Planning
Division

ATTEST

By 

KATHLEEN DETRICK
City Clerk

JPA 93-170

RESOLUTION

BE IT RESOLVED on this 22nd day of October 1993, that I, the undersigned LARRY S. BONINE, as Director of the Arizona Department of Transportation, have determined that it is in the best interests of the State of Arizona that the Department of Transportation, acting by and through the Transportation Planning Division, to enter into an agreement with the City of Tucson for the purpose of defining responsibilities for participating in the FY94 FORM program, to include surface transportation and adjacent land use planning and air quality planning.

Therefore, authorization is hereby granted to draft said agreement which, upon completion, shall be submitted for approval and execution by the Director, Transportation Planning Division.

A handwritten signature in dark ink, appearing to read 'L. Bonine', is written over a horizontal line.

LARRY S. BONINE
Director

ADOPTED BY THE
MAYOR AND COUNCIL

FEB 07 1994

RESOLUTION NO. 116531

RELATING TO INTERGOVERNMENTAL AGREEMENTS; APPROVING AND AUTHORIZING EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF ARIZONA DEPARTMENT OF TRANSPORTATION FOR ACTIVITIES AND FUNDING FOR THE URBAN FORM PROGRAM.

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF TUCSON, ARIZONA, AS FOLLOWS:

SECTION 1. The Intergovernmental Agreement with the State of Arizona Department of Transportation for activities and funding for the urban form program attached hereto, is approved.

SECTION 2. The Mayor is hereby authorized and directed to execute the said Intergovernmental Agreement for and on behalf of the City of Tucson and the City Clerk is authorized and directed to attest the same.

SECTION 3. The various City officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this resolution.

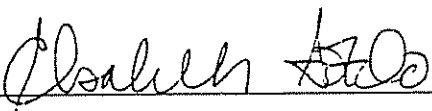
SECTION 4. WHEREAS, it is necessary for the preservation of the peace, health and safety of the City of Tucson that this resolution become immediately effective, an emergency is hereby declared to exist and this resolution shall be effective immediately upon its passage and adoption.

JPA 93-170

APPROVAL OF THE TUCSON CITY ATTORNEY

I have reviewed the above referenced proposed intergovernmental agreement, between the DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION and the CITY OF TUCSON CITY and declare this agreement to be in proper form and within the powers and authority granted to the City under the laws of the State of Arizona.

DATED this 19 day of Jan, 1994

_____

City Attorney



STATE OF ARIZONA

OFFICE OF THE ATTORNEY GENERAL

1275 WEST WASHINGTON, PHOENIX 85007

MAIN PHONE : 542-5025
TELECOPIER : 542-4085


INTERGOVERNMENTAL AGREEMENT
DETERMINATION

A. G. Contract No. KR93-2968-TRN, an agreement between public agencies, has been reviewed pursuant to A.R.S. §11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED this 28th day of February, 1994.

GRANT WOODS
Attorney General


JAMES R. REDPATH
Assistant Attorney General
Transportation Section

JRR:lsr
8365G

PROJECT SUMMARY

Title: FY 94 Urban Form Program

Agency: City of Tucson

Project #: STP 900-O(85)

Funding:

Federal Funds	\$ 47,150
Match	\$ 2,850
Total Project Cost	\$ 50,000

Reference: PAG FY 1994-98 TIP

Objectives: Integrate transportation, land use and air quality planning. Positively affect air quality by guiding future land uses along major transportation corridors and in multi-modal modes.

Products:

- A. Maps of recommended compact growth areas.
- B. Descriptions of current land use and transportation patterns with integrated rationale as to potentials to serve as compact growth areas.
- C. Recommendations of where and how Urban Form concepts may become institutionalized or accepted into current growth guidance practices of the City.
- D. Evaluation measures for effectiveness of Urban Form concepts on air quality.

Tasks:

- A. Program support and administration.
- B. Analyze target areas.
- C. Work with other agencies to integrate the target area plan and Urban Form concepts into the adopted plans and policies.
- D. Provide to PAG-TPD periodic refinements of the 1990 Land Use Data Base obtained through more advanced knowledge of the land use circumstances and sophisticated interpretation of the data.
- E. Provide alternate scenarios for land use at the block level in target areas and transportation corridors for use as a basis for traffic analysis.

Anticipated Impacts: This work element involves institutionalizing the concepts and increasing governmental capacity to allow for and regulate for more efficient transportation infrastructure.